

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

John R. Kroger,

Plaintiff,

Case No. 25-cv-10927

v.

Judith E. Levy

United States District Judge

United States of America, *et al.*,

Mag. Judge Elizabeth A. Stafford

Defendants.

_____/

ORDER TO SUPPLEMENT THE RECORD [2]

Pro se Plaintiff John R. Kroger filed the complaint in this matter on April 1, 2025. (ECF No. 1.) On the same day, Plaintiff filed an application to proceed without prepaying fees or costs (the “Application”). (ECF No. 2.) Plaintiff’s Application does not provide the required financial information and improperly includes the full name of his children.

Under 28 U.S.C. § 1914(a), plaintiffs in a civil action must pay a filing fee. If plaintiffs are unable to pay the filing fee, they must document their financial need by completing and submitting an “Application to Proceed in District Court Without Prepaying Fees or Costs” to the Court. *See* 28 U.S.C. § 1915(a)(1). This is also referred to as proceeding “*in forma*

pauperis.” An individual need not be “absolutely destitute to enjoy the benefits” of proceeding *in forma pauperis*. *Adkins v. E.I. DuPont de Nemours, Inc.*, 335 U.S. 331, 339 (1948). “In determining [*in forma pauperis*] eligibility, courts will generally look to whether the persons are employed, the person’s annual salary, and any other property or assets the person may possess.” *Cognetto v. Comm’r of Soc. Sec.*, 2014 WL 358465, at *1 (E.D. Mich. Jan. 31, 2014) (internal quotation marks omitted). “Inadequate completion of an application to proceed *in forma pauperis* has been found to be grounds for denial of that application in the Eastern District of Michigan.” *Brown v. Berryhill*, No. 17-11577, 2017 WL 2471279, at *2 (E.D. Mich. June 8, 2017).

Plaintiff has not completed the Application. In answer to question 2, he states that he works at the Kroger Corporation but does not provide his income. (ECF No. 2, PageID.17.) He does not provide the value of his car. (*Id.* at PageID.18.) Furthermore, he improperly provides the full names of his dependent children under the age of 18. He should only provide the initials. He does not specify whether the amount of child support he pays each month is in total or per child.

As of the date of this order, Plaintiff has not paid the filing fee or filed a completed application to proceed *in forma pauperis*. Accordingly, Plaintiff must file a new Application with completed information by **April 25, 2025**.

IT IS SO ORDERED.

Dated: April 16, 2025
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on April 16, 2025.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager